THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 21238 of 2005

Dated: 29.09.2005

Between:

N.Suresh babu, S/o.Lakshminarayana,
R/o.Nagaram Palem, Guntur District.

..... PETITIONER

AND

The Chief Manager and Authorised Officer,

The South Indian bank Ltd, 23/1, 2nd Floor,
Baba Chambers, Richmond Road,

Bangalore-560 025 and others.

... **RESPONDENTS**

ORDER:

The case of the petitioner is that respondents 2 to 5 have obtained a loan from the first respondent-Bank and failed to repay the same. Therefore, the first respondent-Bank issued the impugned notice dated 27.06.2005 to respondents 2 to 5 stating that if they fail to repay the outstanding loan amount within a period of 60 days, the mortgaged property, which is the joint family property of the petitioner as well as

respondents 2 to 5, shall be sold for realization of the said amount. Assailing the same, the present writ petition is filed.

Learned counsel for the petitioner submits that the first respondent-Bank has not issued any sale notice so far and that the petitioner is ready to pay the amount due to the first respondent-Bank, in respect of the loan availed by respondents 2 to 5, if four weeks' time is granted.

Though the first respondent has neither appeared in person nor through an Advocate, as the petitioner is ready and willing to pay the outstanding loan amount, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition directing the petitioner to pay the outstanding loan amount to the first respondent-Bank, within a period of four weeks from today.

With the above direction, the writ petition is disposed of. No costs.

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29.09.2005

Note: Furnish C.C. by tomorrow.

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